

SELECTMEN'S MEETING MINUTES
TOWN OFFICES COMMUNITY ROOM
25 BRYANTS LANE
MONDAY, APRIL 25 2005
6:00 P.M. MEETING

Members Present: Selectwoman Karen Puleo, Selectman Rich Lemoine, Selectwoman Jacqueline Schnackertz, Selectman Peter Nicosia, and Selectman Kevin O'Connor.

Selectwoman Schnackertz read the agenda and the correspondence as submitted to the Board.

I. CITIZENS' TIME

Chairman Nicosia asked if there were any residents in the audience who are not on the agenda wish to speak. No one came forward.

II. CORRESPONDENCE

A Motion by Selectwoman Schnackertz to accept the correspondence as read, second by Selectman O'Connor.

Vote – 4 in favor 1 absent 0 opposed the motion does carry.

III. APPOINTMENT

A. 6:05 P.M. Special Permit Application/Carnival/Fanelli
Entertainment/PLM Parking Lot

Motion by Selectman O'Connor to open the hearing, second by Selectwoman Schnackertz,

Vote – Unanimous

The Legal Notice was read.

Motion by Selectman O'Connor to waive the reading of the abutters, second by Selectwoman Schnackertz,

Vote – Unanimous

The Clerk read the application and any correspondence from all the Department Managers.

The Chairman welcomed Mr. Fanelli and asked that he present his petition.

Mr. Fanelli presented his petition for a Carnival at the Pheasant Lane Mall parking lot located in Tyngsborough. Along with the certificate of insurance, permits from the State and will have the mall associates fax over the letter authorizing the use of the parking lot. The Carnival is scheduled for June, 10 through June 19, 2005, the hours will be 6PM to 10:30 PM week days, 1P.M. to 8:00 PM, there will be rides, games and food. Mr. Fanelli will contact the Board of Health, Fire Department and the Police Department for Food Permits and for police and fire details. Following a short discussion the Board found all is in order and the Chairman entertained a motion from the Board.

The Chair asked if there were any abutters in the audience who wished to speak for or against, no one came forward.

Motion by Selectman O'Connor to close the hearing, second by Selectman Lemoine,
Vote – Unanimous

Motion by Selectwoman Schnackertz to grant the application request with the following conditions, that Mr. Fanelli contact the Police and Fire for details, that he obtains a certificate of occupancy from the Building Commissioner, and receives a Board of Health permit, and to increase the insurance to 2 million dollars, second by Selectman O'Connor,
Vote - Unanimous

B. 6:10 P.M. Special Permit Application/Circus/Cole Bros
Circus/PLM Parking Lot
Motion by Selectwoman Puleo to open the hearing, second by Selectwoman Schnackertz,
Vote – Unanimous

The Legal Notice was read.

Motion by Selectwoman Puleo to waive the reading of the abutters, second by Selectman O'Connor,
Vote – Unanimous

The Clerk read the application and any correspondence from all the Department Managers.

Mr. Tim Morris was not present at the beginning of the meeting. The Board while waiting for Mr. Morris did review the files and were deciding to continue the hearing as Mr. Morris entered the meeting. The meeting proceeded Mr. Morris did have all the necessary papers and certificates in hand and renewed. The dates of the Circus will be June 22 & 23 from 4:00 P.M. to 7:00 P.M. Mr. Morris has already contracted the Police and Fire Dept. details has the certification on the canvas all safety precautions have been taken. The Chairman asked if there were anyone in the audience who wished to speak for or against the petition, no one came forward.

Motion by Selectman O'Connor to close and approve the petition as submitted, second by Selectwoman Schnackertz,
Vote - Unanimous

C. 6:20 P.M. Pole Petition Application/Verizon/Middlesex Road
Motion by Selectman Lemoine to open the hearing, second by Selectwoman Puleo,
Vote – Unanimous

The meeting notice was read.

Motion by Selectwoman Schnackertz to waive the reading of the abutters, second by Selectwoman Puleo,
Vote – Unanimous

The Clerk read the application and correspondence from the Highway Department.

Mr. Joseph Priestly was representing Verizon and presented the petition. The moving of the pole and wires out of the driveway that is to lead to the new restaurant on Middlesex Road.

The Chairman asked if there were any abutters present who wished to speak for or against the petition. Mr. Boulanger of Forest Marines spoke, his concern was if there were to be any guides or stays in the roadway. Mr. Priestly assured Mr. Boulange that there will be no guides or stays in the roadway.

Motion by Selectman O'Connor to approve the request as submitted, second by Selectwoman Puleo,
Vote - Unanimous
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D. 6:30 P.M. At-Large Citizen to serve on Town Administrator Search Committee

The Board had received one letter of interest to serve on the Search Committee, Ms Ellen Parlee.

Motion by Selectman O'Connor to appoint Ms. Ellen Parlee as the Citizen at large member to the Search Committee, second by Selectman Lemoine,
Vote – Unanimous

The Board after discussing the make up of the search committee and having spoken to intended members who have express an interest in serving on the committee the Board proceeded to appoint the committee.

Motion by Selectman Lemoine to form the Town Administrator Search Committee and to appoint the following nominees to the committee, Ms. Ellen Parless, Bill Downing, Bob Mercier, Tim Sullivan, Don Lampron, Karyn Puleo and Chief John Miceli, second by Selectwoman Schankcertz,
Vote – Unanimous

The Board congratulated the committee, they will receive a letter from the office informing them of the appointment and the date of the first meeting with the Selectmen. The Board will solicit from MMA Consulting Group a job description and a salary range.

IV. ACTION/DISCUSSION

A. Approve Minutes of January 5, 26; February 9, March 1, 15, 22 and 29; April 20, May 10, June 7, 28, 2004; Ti-Board Meetings of May 20, September 14, and November 9, 2004; Work Session of March 8, March 24, April 5, April 26, May 6, May 17, May 24, June 2, and June 21, 2004; and Executive Session of September 2, August 11, July 28, 2003, February 17, March 1, March 24, June 28, July 12, and September 27, 2004.

The Board reviewed all of the dates of the minutes submitted to be approved, the minor corrections were completed.

Selectman O'Connor abstains from voting on Minutes of March 1 and 24, 2004 had recused from the meetings. Selectman Nicosia has letters of disclosures from the meeting that he had recused from conflicting portions of meetings.

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Selectwoman Puleo abstains from voting on the minutes as she was not a member at the time.

Motion by Selectman O'Connor to approve all the minutes submitted as corrected, and notated by the abstainers, second by Selectwoman Schnackertz,

Vote – Unanimous

B. Warrant Article Review

The Board discussed briefly the warrant articles Article 22 was re instated, and a copy of the warrant is to be sent to every department for their review.

C. 2- One Day Special License Application/BU/72 Tyng Rd

The Board received two One Day Special License from BU for two corporate meetings.

Motion by Selectman O'Connor to approve two One Day Special License to Bu as requested, second by Selectwoman Puleo,

Vote - Unanimous

IV. ASSISTANT TOWN ADMINISTRATOR'S NOTES

V. SELECTMEN'S NOTES

The Selectmen reminded everyone of the budget presentation at 6PM at the Elementary School and on Wednesday at 12:30 P.M. at the Council on Aging.

Having no further business in open session the Board voted to enter into Executive Session

Motion by Selectwoman Puleo to enter into Executive Session to discuss Union Personnel and litigation strategy to return to open session only to adjourn, second by Selectwoman Schnackertz

Roll Call vote – Selectwoman Puleo, yes,; Selectman Lemoine, yes; Selectwoman Schnackertz, yes; Selectman O'Connor, yes; and Selectman Nicosia, yes.

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The Board entered into Executive Session at 7:15 P.M.

VI. ADJOURNMENT

The Board exited the Executive Session and motioned to adjourn.

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Motion by Selectwoman Puleo to adjourn the meeting, second by Selectwoman Schnackertz,

Vote – Unanimous

The Meeting adjourned at 8:15 P.M.

Respectfully submitted

Therese Gay
Admin. Assist.